



Attorney Docket No. 60213.US (223P164)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rex A. NILES et al  
Application No.: 10/828,972  
Filing Date: 04/21/2004  
Confirmation No.: 5414  
Title: NEBULIZER WITH AUXILIARY INLET PORT  
Examiner: Mital B. PATEL  
Group Art Unit: 3743

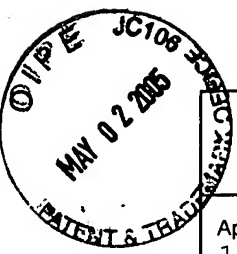
**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 7, 2005, please amend the above-referenced application and consider the remarks as follows:

IFW



LNG form

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
60213.US (223P164)

|                               |                           |                            |                        |
|-------------------------------|---------------------------|----------------------------|------------------------|
| Application No.<br>10/828,972 | Filing Date<br>04/21/2004 | Examiner<br>Mital B. PATEL | Group Art Unit<br>3743 |
|-------------------------------|---------------------------|----------------------------|------------------------|

Invention Title  
NEBULIZER WITH AUXILIARY INLET PORT

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status of this application has been established under 37 CFR 1.27
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

### CLAIMS AS AMENDED

|   | (1)                                       | (2)   | (3)   |                            |                               |             |
|---|---|-------|---|----------------------------|-------------------------------|-------------|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>NUMBER<br>EXTRA | RATE                          | FEE         |
| TOTAL CLAIMS  | * 10                                      | minus | ** 20                                       | 0                          | x \$50                        | \$ 0        |
| INDEPENDENT CLAIMS  | * 2                                       | minus | *** 3                                       | 0                          | x \$200                       | 0           |
| MULT. DEPENDENT CLAIM<br>ADDED  |   |       |   |                            | \$360                         | 0           |
|   |   |       |   |                            | <b>TOTAL</b>                  | <b>\$ 0</b> |
| If applicant has small entity status under 37 CFR 1.9 and 1.27,<br>then divide total fee by 2, and enter amount here. |   |       |   |                            | <b>SMALL ENTITY<br/>TOTAL</b> | <b>\$</b>   |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
\*\* If the highest number previously paid for IN THIS SPACE is less than 20, enter "20".  
\*\*\* If the highest number previously paid for IN THIS SPACE is less than 3, enter "3".  
The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

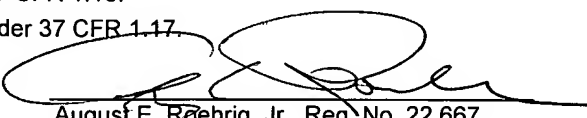
☐ Please charge Deposit Account No. 12-2355 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to **Deposit Account No. 12-2355. A duplicate copy of this sheet is enclosed.**

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

  
August E. Roehrig, Jr., Reg. No. 22,667

Form LNG (9/96)

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### \*\*\* CERTIFICATE OF MAILING \*\*\*

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 4/28/05  
Date

  
August E. Roehrig, Jr.